

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOSEPH STEVENS & COMPANY, INC.

Case No. 07 CV 3385

Petitioner,

HON. BARBARA JONES

vs.

DAVID CIKANEK

Respondent

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**To:** Martin P. Russo, Esq.  
Tamar Y. Duvdevani  
Alison B. Cohen, Esq.  
NIXON PEABODY LLP  
437 Madison Avenue  
New York, NY 10022

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that I have today filed the within motion for an Order dismissing this action for lack of personal jurisdiction pursuant to Fed. R. Civ. Pro. 12(b)(2) and in the alternative for an Order transferring this matter to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. §1404. A copy of the motion appears with these papers.

PLEASE TAKE FURTHER NOTICE, that I have today filed in support of my motion a Memorandum of Law, the Declaration of Respondent David M. Cikanek, the Declaration of Renan Sugarman, a copy of which accompanies this Notice and the Motion.

Dated: June 14, 2007

BLAU & BONAVIDICH

By: /s/Leslie A. Blau  
Leslie A. Blau

*Attorneys for Respondent David M. Cikanek*

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(pending admission *pro hac vice*)  
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(312) 578-9411 fax-9431

Of counsel

David G. Duggan  
Paul D. Malmfeldt  
Ari R. Madoff

Dated: June 14, 2007

**CERTIFICATE OF SERVICE**

I, **Ari R. Madoff**, being duly sworn, say;

I am a member of the Bar of the State of Illinois. I am not a party to the within action, am over 18 years of age, and reside in Chicago, Illinois.

On June 14, 2007, I served the within:

**- NOTICE OF MOTION**

**- MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION  
AND IN THE ALTERNATIVE FOR TRANSFER PURSUANT TO 28 U.S.C. §1404**

**-MEMORANDUM OF LAW IN SUPPORT OF RESPONDENT DAVID  
CIKANEK'S MOTION TO DISMISS FOR LACK OF PERSONAL  
JURISDICTION AND IN THE ALTERNATIVE FOR TRANSFER PURSUANT  
TO 28 U.S.C. §1404**

**-DECLARATION OF RENAN SUGARMAN  
IN SUPPORT OF MOTION TO DISMISS OR TRANSFER**

**-DECLARATION OF RENAN SUGARMAN  
IN SUPPORT OF MOTION TO DISMISS OR TRANSFER**

by mailing a true copy thereof, enclosed in a postage-paid envelope, in an official depository under the exclusive care and custody of the U.S. Postal service located at 140 South Dearborn St., Chicago, IL 60603, addressed to the following attorneys;

Martin P. Russo, Esq.  
Alison B. Cohen, Esq.  
Tamar Y. Duvdevani, Esq.  
NIXON PEABODY LLP  
437 Madison Ave.  
New York, NY 10022

/s/Ari R. Madoff  
Ari R. Madoff

Dated: Chicago, Illinois  
June 14, 2007